

REMARKS

I. Status and Disposition of the Claims

In the instant application, claims 1-52 are pending and under consideration on the merits. Of the claims pending, claims 1, 8, 11, 14, 21, 24, 27, 34, 37, 40, 47, and 50 have been amended.

In the Final Office Action mailed October 29, 2010, (hereafter "Office Action"),¹ the following actions were taken:

- a. the specification was objected to as allegedly "failing to provide proper antecedent basis for the claimed subject matter;"
- b. claims 1-13 were rejected under 35 U.S.C. § 101 for allegedly being directed to non-statutory subject matter;
- c. claims 1-3, 5-7, 14-16, 18-20, 27-29, 31-33, 40-42, and 44-46 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,343,290 to Cossins et al. (hereafter "Cossins"); and
- d. claims 4, 8-13, 17, 21-26, 30, 34-39, 43, and 47-52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cossins in view of Metacrawler Parallel Web Search Service, Reformatted Metacrawler Query Submission Form: Metacrawler Query Syntax, 05-18-1997, <http://www.hicom.net/~oedipus/meta3.html>, pgs 1-2 (hereafter, "Metacrawler"), and Quick Reference Guide to Search Engine Syntax, 04-07-2001, http://www.utm.edu/departments/acadpro/library/information_pages/syntax.html, pgs 1-10 (hereafter, "Guide").

II. Amendments to the Claims

Independent claim 1 has been amended to include the following element:

receiving a query ... wherein the query comprises an indication of at least one of a set of subregions and a set of sections, wherein the indication comprises at least one element that identifies a plurality of subregions or sections having at least one common identifying letter or digit;

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

(Emphasis added). Claims 8, 11, 14, 21, 24, 27, 34, 37, 40, 47, and 50 have been similarly amended. Support for this amendment may be found at least in Applicant's Specification at paras. [0028] and [0036]. Accordingly, no new matter has been introduced by this amendment.

III. Objection to the Specification

In the Office Action, the Examiner objected to the Specification for allegedly failing to provide proper antecedent basis for the claimed subject matter. Particularly, the Examiner asserted that the term "symbol" is not found in the disclosure. Office Action at 2. Without agreeing with the Examiner, and solely in the interest of expediting prosecution, Applicants have appropriately amended independent claims 1, 8, 11, 14, 21, 24, 27, 34, 37, 40, 47, and 50. Accordingly, Applicant respectfully requests that the Examiner withdraw the above-identified objection to the Specification.

IV. Rejections under 35 U.S.C. § 101

In the Office Action, the Examiner rejected claims 1-13 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Office Action at 2. Without agreeing with the Examiner's contentions and characterizations, and in the interest of expediting prosecution, Applicant has amended independent claim 1 to positively recite a machine that accomplish its method steps. Independent claims 8 and 11 have been similarly amended. Dependent claims 2-7, 9-10, and 12-13 depend from independent claims 1, 8, and 11 and, by virtue of their dependence, contain the above-identified elements. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-13 under 35 U.S.C. § 101.

V. Rejections under 35 U.S.C. § 102(e)

1. Claims 1-3, 5-7, 14-16, 18-20, 27-29, 31-33, 40-42, and 44-46 are not anticipated by Cossins.

The Examiner rejected claims 1-3, 5-7, 14-16, 18-20, 27-29, 31-33, 40-42, and 44-46 under 35 U.S.C. § 102(e) as anticipated by Cossins. Applicant respectfully traverses this rejection.

In order to properly establish that Cossins anticipates Applicant's claimed invention under 35 U.S.C. § 102(e), each and every element of the claims at issue must be found, either expressly described or under principles of inherency, in Cossins. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Here, Cossins does not contain a teaching or disclosure of at least the following elements of Applicant's claim 1.

Independent claim 1, as amended, is directed to a method and recites, among other acts, "receiving a query ... wherein the query comprises an indication of at least one of a set of subregions and a set of sections, wherein the indication comprises at least one element that identifies a plurality of subregions or sections having at least one common identifying letter or digit" (Emphasis added)." Cossins fails to teach or suggest at least this element of the claim.

The Examiner contends that Cossins at cols. 5 and 16 teaches "wherein the indication comprises at least one symbol associated with at least one of reducing the number of subregions within the set of subregions, and reducing the number of sections with the set of sections" Office Action at 5. Even if the Examiner's contentions were

correct, which Applicant does not concede, Cossins does not teach or suggest an indication comprising "at least one element that identifies a plurality of subregions or sections having at least one common identifying letter or digit," as recited in Applicant's amended claim 1. Indeed Cossins does not disclose anything analogous to an element that identifies a plurality of subregions or sections having at least one common identifying letter or digit. Consequently, Cossins does not and cannot teach or disclose "receiving a query ... wherein the query comprises an indication of at least one of a set of subregions and a set of sections, wherein the indication comprises at least one element that identifies a plurality of subregions or sections having at least one common identifying letter or digit," as recited in amended claim 1.

For at least the reasons presented above, amended claim 1 is not anticipated by Cossins. Independent claims 14, 27, and 40, although of different scope, contain elements similar to those of claim 1 that are not disclosed by Cossins. Therefore, like claim 1, claims 14, 27, and 40 are also patentable over Cossins. Dependent claims 2, 3, 5-7, 15, 16, 18-20, 28, 29, 31-33, 41, 42, and 44-46 are also patentable over Cossins, at least by virtue of their dependence from claims 1, 14, 27, and 40. Applicant therefore respectfully requests that the Examiner withdraw the rejection of claims 1-3, 5-7, 14-16, 18-20, 27-29, 31-33, 40-42, and 44-46 under 35 U.S.C. § 102(e).

VI. Rejections under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected claims 4, 8-13, 17, 21-26, 30, 34-39, 43, and 47-52 under 35 U.S.C. § 103(a) as being unpatentable over Cossins in view of Metacrawler and Guide. Office Action at page 8. Applicant respectfully traverses these rejections.

Independent claim 8, as amended, is directed to a method and recites, among other acts, "receiving a query ... wherein the query comprises an indication of at least one of a set of states and a set of postal codes, the indication comprising at least one element that identifies a plurality of states or postal codes having at least one common identifying letter or digit." Cossins, Metacrawler, and Guide, alone or in combination, fail to teach or suggest at least the receiving act recited above.

In the context of amended claim 1, Applicant has already shown that Cossins does not teach or disclose an indication comprising "at least one element that identifies a plurality of subregions or sections having at least one common identifying letter or digit," as recited in amended claim 1. As amended claim 8 contains elements similar to the above-recited elements of claim 1 that Cossins does not disclose, amended claim 8 is patentable over Cossins. Moreover, no combination of Metacrawler and Guide teaches or discloses the above-identified elements of claims 1 and 8 that Cossins fails to disclose.

For at least these reasons, Cossins, Metacrawler and Guide, alone or in combination, fail to render obvious Applicant's amended claims 1 and 8. Independent claims 11, 21, 24, 34, 37, 47, and 50, although of different scope, contain elements similar to those of claim 1 or claim 8 that are not disclosed by these references. Therefore, like independent claims 1 and 8, claims 11, 21, 24, 34, 37, 47, and 50 are also patentable over these references. Dependent claims 4, 9, 10, 12, 13, 17, 22, 23, 25, 26, 30, 35, 36, 38, 39, 43, 48, 49, 51, and 52 are also patentable over Cossins, Metacrawler, and Guide at least by virtue of their dependence from the above-identified independent claims. Applicant therefore respectfully requests that the Examiner

withdraw the rejection of claims 4, 8-13, 17, 21-26, 30, 34-39, 43, and 47-52 under 35 U.S.C. § 103(a).

VII. Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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